

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

LEONARDO DEBESS WELLS, SR.,

Plaintiff,

vs.

CAROLYN W. COLVIN,

Defendant.

Case No. 2:13-cv-00529-JCM-PAL

ORDER

This matter is before the court on Plaintiff Leonard Debess Wells, Sr.'s failure to comply with the court's Scheduling Order (Dkt. #20). Plaintiff is proceeding in this matter pro se and in forma pauperis. His Complaint (Dkt. #7) seeks reversal of the Commissioner of the Social Security Administration's decision denying Plaintiff disability benefits.

On October 31, 2013, the court entered a Scheduling Order (Dkt. #20) which required Plaintiff to file any motion for reversal or remand no later than November 25, 2013. The Order further provided, "Failure of a party to file a motion or points and authorities required by this Order may result in dismissal of the action." Scheduling Order (Dkt. #20) at ¶ 11. Plaintiff has not filed a motion to reverse or remand, requested additional time in which to comply, or taken any other steps to prosecute this case since August 30, 2013. On February 12, 2014, the court entered an Order to Show Cause (Dkt. #22) directing Plaintiff to show cause in writing why this case should not be dismissed for his failure to comply with the Scheduling Order and failure to prosecute this case.

On February 27, 2014, Plaintiff filed a Response which provided that he had limited knowledge of the courts, and that after he met with Assistant United States Attorney Carlos Gonzalez, he thought he needed an attorney to file things in this case. It appears that Mr Gonzalez provided Plaintiff with a copy of the administrative record. The Plaintiff is entitled to represent himself and has been granted

1 leave of court to do so. However, prosecuting a social security appeal is difficult, and almost everyone
2 would be better served being represented by counsel. If Plaintiff wishes to proceed with his appeal he
3 must to the best he can to read the court's scheduling order and comply with it, or this appeal will
4 probably be dismissed. Having reviewed Plaintiff's Response, it does not appear he intentionally
5 disregarded the court's Scheduling Order.

6 Accordingly,

7 **IT IS ORDERED:**

- 8 1. Plaintiff shall file a motion to reverse or remand which complies with the requirements
9 set forth in the court's Scheduling Order (Dkt. #20) no later than **April 3, 2014**.
- 10 2. Failure to comply with this Order will result in a recommendation to the district judge
11 that this case be dismissed.

12 Dated this 5th day of March, 2014.

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15 PEGGY A. LEEN
16 UNITED STATES MAGISTRATE JUDGE
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